

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>WARREN EASLEY,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>C.A. No. 21-63 Erie</b>
	)	
<b>v.</b>	)	<b>District Judge Susan Paradise Baxter</b>
	)	<b>Magistrate Judge Richard A. Lanzillo</b>
<b>JOHN WETZEL, et al.,</b>	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

Plaintiff Warren Easley, an inmate incarcerated at the State Correctional Institution at Forest in Marienville, Pennsylvania (“SCI-Forest”), initiated this *pro se* civil rights action on January 26, 2021, by filing a complaint pursuant to 42 U.S.C. § 1983 against John Wetzel, Secretary of the Pennsylvania Department of Corrections, and multiple staff members at SCI-Forest. The case was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. This matter was subsequently reassigned to the undersigned, as presiding judge, on February 26, 2021, with Judge Lanzillo remaining as the referred Magistrate Judge for all pretrial proceedings.

On May 3, 2021, Defendants filed a motion to dismiss Plaintiff’s complaint for failure to state a claim upon which relief may be granted [ECF No. 28]. Plaintiff was ordered to file a response to Defendants’ motion by June 2, 2021 [ECF No. 30]. After Plaintiff failed to file a response, Judge Lanzillo issued a show cause order directing Plaintiff to explain his failure to respond to Defendants’ motion as required, or to simply file a response, by September 27, 2021


[ECF No. 32]. Out of an abundance of caution, the show cause order was not only mailed to Plaintiff's record address at SCI Forest, but was also mailed to Plaintiff at SCI-Phoenix, where the Court discovered he may have been transferred. Nonetheless, Plaintiff still failed to file a response and did not otherwise communicate with the Court.

As a result of Plaintiff's continued failure to either respond to Defendants' motion to dismiss and or comply with multiple court orders, Judge Lanzillo issued a Report and Recommendation ("R&R") on January 12, 2022, recommending dismissal of this case for Plaintiff's failure to prosecute [ECF No. 34]. A copy of the R&R was mailed to Plaintiff at both SCI-Forest and SCI-Phoenix. Objections to the R&R were due from Plaintiff by January 31, 2022; however, Plaintiff has failed to file any objections to date.

After de novo review of the documents in this case, together with the report and recommendation, the following order is entered:

AND NOW, this 14th day of February, 2022;

IT IS HEREBY ORDERED that this case is DISMISSED for Plaintiff's failure to prosecute. The report and recommendation of Magistrate Judge Lanzillo, issued January 12, 2022 [ECF No. 34] is adopted as the opinion of the court.

  
SUSAN PARADISE BAXTER  
United States District Judge

cc: The Honorable Richard A. Lanzillo  
U.S. Magistrate Judge

All parties of record